



General Assembly

Substitute Bill No. 1056

January Session, 2015



**AN ACT CONCERNING THE EXCESS COST THRESHOLD AND THE
COLLECTION AND REPORTING OF DATA RELATING TO SPECIAL
EDUCATION EXPENDITURES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (b) of section 10-76g of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective July*
3 *1, 2015*):

4 (b) Any local or regional board of education which provides special
5 education pursuant to the provisions of this section and sections 10-76a
6 to [10-76g] 10-76f, inclusive, for any exceptional child described in
7 subparagraph (A) of subdivision (5) of section 10-76a, under its
8 jurisdiction, excluding (1) children placed by a state agency for whom
9 a board of education receives payment pursuant to the provisions of
10 subdivision (2) of subsection (e) of section 10-76d, and (2) children who
11 require special education, who reside on state-owned or leased
12 property, and who are not the educational responsibility of the unified
13 school districts established pursuant to sections 17a-37 and 18-99a,
14 shall be financially responsible for the reasonable costs of special
15 education instruction, as defined in the regulations of the State Board
16 of Education, in an amount equal to (A) for any fiscal year
17 [commencing] ending prior to [July 1, 2005] June 30, 2006, five times
18 the average per pupil educational costs of such board of education for

19 the prior fiscal year, determined in accordance with the provisions of
20 subsection (a) of section 10-76f, [and] (B) for the fiscal [year
21 commencing July 1, 2005, and each fiscal year thereafter] years ending
22 June 30, 2006, to June 30, 2017, inclusive, four and one-half times such
23 average per pupil educational costs of such board of education, (C) for
24 the fiscal year ending June 30, 2018, the net current expenditures per
25 resident student multiplied by three and one-half, (D) for the fiscal
26 year ending June 30, 2019, the net current expenditures per resident
27 student multiplied by three, (E) for the fiscal year ending June 30, 2020,
28 the net current expenditures per resident student multiplied by two
29 and one-half, and (F) for the fiscal year ending June 30, 2021, the net
30 current expenditures per resident student multiplied by two. For
31 purposes of this subsection, "net current expenditures per resident
32 student" means the quotient obtained by dividing the net current
33 expenditures, as defined in section 10-261, of such local or regional
34 board of education for the prior fiscal year by the number of resident
35 students, as defined in section 10-262f, of such local or regional board
36 of education. The State Board of Education shall pay on a current basis
37 any costs in excess of the local or regional board's basic contribution
38 paid by such board in accordance with the provisions of this
39 subsection. Any amounts paid by the State Board of Education on a
40 current basis pursuant to this subsection shall not be reimbursable in
41 the subsequent year. Application for such grant shall be made by filing
42 with the Department of Education, in such manner as prescribed by
43 the commissioner, annually on or before December first a statement of
44 the cost of providing special education pursuant to this subsection,
45 provided a board of education may submit, not later than March first,
46 claims for additional children or costs not included in the December
47 filing. Payment by the state for such excess costs shall be made to the
48 local or regional board of education as follows: Seventy-five per cent of
49 the cost in February and the balance in May. The amount due each
50 town pursuant to the provisions of this subsection shall be paid to the
51 treasurer of each town entitled to such aid, provided the treasurer shall
52 treat such grant, or a portion of the grant, which relates to special
53 education expenditures incurred in excess of such town's board of

54 education budgeted estimate of such expenditures, as a reduction in
55 expenditures by crediting such expenditure account, rather than town
56 revenue. Such expenditure account shall be so credited no later than
57 thirty days after receipt by the treasurer of necessary documentation
58 from the board of education indicating the amount of such special
59 education expenditures incurred in excess of such town's board of
60 education budgeted estimate of such expenditures.

61 Sec. 2. (NEW) (*Effective July 1, 2015*) On or before July 1, 2016, and
62 annually thereafter, each local and regional board of education shall
63 submit a report on its expenditures for special education for the prior
64 fiscal year to the Department of Education. Such report shall include,
65 but need not be limited to, (1) total expenditures for special education
66 of the board of education, (2) expenditures for special education as a
67 percentage of total school district expenditures, and (3) individual
68 expenditures for each child requiring special education who is under
69 the jurisdiction of the board of education. Such report shall not be a
70 public record, as defined in section 1-200, except that nothing in this
71 section shall be construed to prevent the disclosure of information that
72 is included in the strategic school profile under subsection (c) of
73 section 10-220 of the general statutes.

74 Sec. 3. (NEW) (*Effective July 1, 2015*) On or before October first
75 annually, the Department of Education shall submit a report on
76 disaggregated data relating to the expenditures for special education
77 by local and regional boards of education for the prior fiscal year,
78 collected pursuant to section 2 of this act, to the joint standing
79 committee of the General Assembly having cognizance of matters
80 relating to education, in accordance with the provisions of section 11-
81 4a of the general statutes. Such report shall include, but need not be
82 limited to, a breakdown of the total number of students requiring
83 special education in each school district whose per pupil educational
84 cost for such school district is (1) two times the net current
85 expenditures per resident student of such school district, (2) two and
86 one-half times the net current expenditures per resident student of

87 such school district, (3) three time the net current expenditures per
 88 resident student of such school district, (4) three and one-half times the
 89 net current expenditures per resident student of such school district,
 90 (5) four times the net current expenditures per resident student of such
 91 school district, and (6) four and one-half times the net current
 92 expenditures per resident student of such school district. For purposes
 93 of this section, "net current expenditures per resident student" has the
 94 same meaning as provided in subsection (b) of section 10-76g of the
 95 general statutes, as amended by this act.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2015</i>	10-76g(b)
Sec. 2	<i>July 1, 2015</i>	New section
Sec. 3	<i>July 1, 2015</i>	New section

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Joint Favorable Subst. C/R

APP